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Attorneys for **REALNETWORKS, INC.** and **LISTEN.COM**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRISKIT, INC., a Delaware corporation

Plaintiff,

vs.

REALNETWORKS, INC., a Washington
corporation; **LISTEN.COM**, a California
corporation

Defendants.

Case No: 3:03-cv-05085-WWS

**PRETRIAL
PREPARATION SCHEDULE**

Judge: William W Schwarzer

1 A. April 11, 2007 -- Friskit to lodge and serve list of no more than 8 asserted claims
2 for trial.

3 B. April 27, 2007 -- Friskit to lodge and serve complete statements of expert
4 testimony for all testifying experts, except for expert testifying as to damages.

5 C. May 2, 2007 -- Real to Supplement Damages Discovery.

6 D. May 11, 2007 -- Real to lodge and serve complete statements of expert testimony
7 for all experts, except for expert testifying as to damages (see B. above).

8 E. May 16, 2007 -- Last date for Damages Expert depositions.

9 F. May 25, 2007 -- Friskit to lodge and serve complete statements of damages expert
10 testimony (see B. above).

11 G. June 8, 2007 -- Friskit and Real to file and serve trial briefs listing (1) each
12 witness to be called, together with a summary of his/her testimony; (2) designation of deposition
13 excerpts; and (3) all exhibits to be offered (see Federal Rule of Civil Procedure 26(a)(3)).

14 H. June 8, 2007 -- Friskit to lodge and serve proposed Jury Instructions.

15 I. June 8, 2007 -- Friskit and Real to lodge and serve proposed jury voir dire
16 questions and joint statement regarding case to present to jurors.

17 J. June 8, 2007 -- Friskit and Real to submit any stipulations.

18 K. June 8, 2007 -- Friskit and Real to exchange visual aids and demonstrative
19 exhibits.

20 L. June 11, 2007 -- Real to lodge and serve complete statements of damages expert
21 testimony (see B. above).

22 M. June 15, 2007 -- Exchange of Physical Copies of Proposed Exhibits.

23 N. June 15, 2007 -- Real to lodge and serve proposed Jury Instructions (avoiding
24 duplication with Friskit Instructions acceptable to Real).

25 O. June 20, 2007 -- Friskit and Real to file and serve (1) objections to evidence
26 and/or visual aids and demonstrative exhibits; (2) claims of privilege; and (3) motions in limine
27 (see Federal Rule of Civil Procedure 26(a) (3)).

28 P. June 25, 2007 -- Oppositions to Motion in Limine.

1 Q. July 3, 2007, 9:30 a.m., Courtroom 14, 450 Golden Gate Avenue, 18th Floor, San
2 Francisco, California -- Final Pretrial Conference.

3 R. July 16, 2007, 9:30 a.m., Courtroom 14, 450 Golden Gate Avenue, 18th Floor,
4 San Francisco, California -- Trial.

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7 Dated: May 3, 2007


WILLIAM W SCHWARZER
Senior United States District Judge